2019-2020
MINORITY/WOMEN-OWNED
BUSINESS ENTERPRISE
PROGRAM ANNUAL REPORT

OFFICE OF BUSINESS INCLUSION & ADVANCEMENT
CITY OF WINSTON-SALEM
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LETTER OF TRANSMITTAL

Before I begin to discuss the accomplishments of the City of Winston-Salem’s Minority/Women-Owned Business Enterprise Program (M/WBE) for fiscal year 2019-20, I must pay tribute to the late Dr. Vivian H. Burke, Mayor Pro Tempore and Councilwoman of the Northeast Ward of Winston-Salem. Dr. Vivian H. Burke was the longest-serving council member in city history, and she chaired the Public Safety Committee for 36 years. Her advocacy and promotion of equal opportunity and access to contracting and procurement opportunities for M/WBEs resonated beyond the walls of City Hall. In 1983, she initiated the city’s Minority and Women Owned Business Enterprise Program. Dr. Burke’s commitment and passion for inclusiveness will continue to fuel our program and its future practices. With gratitude and much appreciation, the city’s Minority/Women-Owned Business Enterprise Program thanks Dr. Vivian H. Burke for her service.

The annual report for FY2019-20 provides an overview of the city’s Minority/Women-Owned Business Enterprise Program mission of constantly improving diversity and inclusion in City contracting and purchasing programs including: financial spend achievements, community outreach, key program accomplishments, and the program’s performance measures.

M/WBE Program highlights for the FY 19-20 include:

• During fiscal year 2019-20, overall City procurement activity totaled $190.6 million. Of this amount, $18.6 million was spent with minority and women-owned firms, $8 million with minority-owned businesses and $10.6 million with women-owned businesses.

• Recommendations from the City of Winston Salem’s first disparity study provides guidance on policy modifications that will meet the narrowly tailored standard

• 118 M/WBE vendors were added to the City of Winston-Salem Vendor Listing database, which is used to solicit bids from M/WBE businesses

• During the COVID-19 pandemic, the City’s M/WBE program maintained the ability to provide web-based workshops and seminars covering a range of topics to local M/WBE firms including assistance with becoming certified as a HUB firm with the State of North Carolina under the Statewide Uniform Certification Program (SWUC).

Thank you to the Mayor and City Council for their continuous support of our program and its initiatives.

Sincerely,

Jakira Westbrook, Business Inclusion Manager
Office of Business Inclusion and Advancement
PROGRAM OVERVIEW

Since 1983 it has been the policy of the city of Winston-Salem to provide minorities and women equal opportunity to participate in all aspects of city contracting and purchasing programs, including but not limited to, participation in procurement contracts for commodities and services as well as for contracts relating to construction, repair work and/or leasing activities.

It is further the policy of the city of Winston-Salem to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, sex, religion or national origin and to conduct its contracting and purchasing programs so as to prevent such discrimination.

Through the Minority/Women-owned Business Enterprise Program, the city of Winston-Salem -- in concert with other local, state and federal agencies, and with the assistance of minority groups and agencies -- works to seek and identify qualified minority and women business enterprises and offer them the opportunity to participate as providers of goods and services to the city.

The M/WBE program is administered by the Minority/Women-owned Business Enterprise Division of the Office of Business Inclusion & Advancement.

The division organizes workshops and seminars for minority- and women-owned businesses. In addition, the division works to ensure that minorities and women have the opportunity to do business with the city, including contracts for:

- Commodities
- Construction and repairs
- Leasing and maintenance activities.
- General, professional, and other services.
- All purchasing by departments or divisions that is classified as discretionary spending.

The division provides staff support for the M/WBE Advisory Committee in setting and monitoring participation goals for construction projects.

The M/WBE Division also maintains a database of M/WBE vendors as a resource for city departments and divisions and for the general public. The database allows the city to be proactive in soliciting bids from M/WBE businesses for upcoming projects. During 2019-20, 118 M/WBE vendors were added to the database.
THE OFFICE OF BUSINESS INCLUSION AND ADVANCEMENT

The Minority/Women-owned Business Enterprise Division is one of two main responsibilities of the Office of Business Inclusion & Advancement. BIA is also responsible for the city’s business development.

The Business Development Division monitors and promotes business and economic development opportunities throughout the city utilizing a series of related programs to provide concentrated assistance to targeted areas and groups. The division focuses on enhancing the quality of life by attracting, creating, and retaining jobs; augmenting the tax base; and assisting small and minority-owned businesses.

Ken Millett
Director

Jakira Westbrook
Business Inclusion Manager

Alexandre B. Bohannon
Diversity Compliance Specialist

Jordan Paige
Diversity Compliance Specialist

Steven Harrison
Small Business Development Specialist

Hannah Hernandez
Administrative Assistant
DISPARITY STUDY

During the 2019-20 fiscal year the City received the final report of the Disparity Study conducted by MGT of America Consulting, LLC (MGT), a Tampa-based research/management consulting firm that has conducted more than over 214 disparity and disparity-related studies. MGT’s findings were subsequently presented to the Community Development/Housing/General Government Committee at its meeting on January 14, 2020.

The city retained MGT in March 2019 to examine the city’s procurement activity within the following business categories:

- Construction Services
- Professional Services
- Other Services
- Goods and Supplies

The study period included procurement activity from July 1, 2013, through June 30, 2018 (FY2014 – FY2018).

Study goals included:

a) Examining what, if any, barriers may be adversely affecting the participation of M/WBEs in contracts issued by the city;

b) Identifying the availability of M/WBEs that are ready, willing, and able to do business with the city in the relevant market area(s), based on both business presence and headquarters;

c) Analyzing the contracting and procurement data of the city to determine its respective utilization of M/WBEs;

d) Determining the extent to which any identified disparities in the utilization of available M/WBEs by the city are attributable to discrimination;

e) Recommending programs to remedy the effects of any discrimination identified, and to reduce or eliminate any other marketplace barriers that adversely affect the contract participation of such M/WBEs; and

f) Identifying best practices for the policy recommendations on remediating any identified disparities, as well as effective tools for developing MWBE capacity.

MGT used a variety of outreach methods to collect information used to identify issues and concerns of businesses in the market area. M/WBE and non-M/WBE firms were randomly selected for each procurement category studied in this report. Outreach methods included:

**COMMUNITY MEETINGS** MGT and the city hosted three community meetings, and 38 business owners and representatives participated representing varying industries, including construction, engineering, information technology, real estate, educational consulting, and environmental consulting. Community meetings were held July 8, 2019, at the S.G. Atkins CDC Enterprise Center; July 9, 2019 at the Georgia E. Taylor Neighborhood Center; and July 10, 2019, at the Hanes Hosiery Community Center.

**ONLINE COMMENTS** To expand anecdotal data collection, firms were given the option to provide written comments via the disparity study website.
VENDOR SURVEY Firm owners and representatives that participated in the survey were asked about their experiences doing business or attempting to do business with the city, its prime contractors, and in the private sector during the study period.

QUANTITATIVE AND QUALITATIVE FINDINGS

MGT reported the following findings, commendations and recommendations:

FINDING A: RELEVANT GEOGRAPHIC MARKET AREA
Based on the results of the market area analysis conducted for each business category, the recommended relevant market area contains the city of Winston-Salem in addition to the following: Alamance County, Davidson County, Davie County, Forsyth County, Guilford County, Randolph County, Rockingham County, Stokes County, Surry County, and Yadkin County. This area should be used in conducting outreach and identifying firms to meet program goals.

FINDING B: M/WBE PRIME UTILIZATION
The city’s spending with non-M/WBE firms totaled 88.60 percent, while only 11.40 percent went to M/WBE firms.

FINDING C: CONSTRUCTION SUBCONTRACTING UTILIZATION
The estimated construction subcontracting utilization dollars and percentages with M/WBEs amounted to 23.94 percent of total payments within the relevant geographic market area.

FINDING D: AVAILABILITY ESTIMATES
A reliable estimation of the number of firms willing and able to provide each of the respective services under the scope of examination is an incumbent element in the determination of disparity. Post-Croson case law has not prescribed a single, approach to deriving firm availability, and agencies have used a variety of means to estimate pools of available vendors that have withstood legal scrutiny.

FINDING E: DISPARITIES IN COMMERCIAL AND PUBLIC CONSTRUCTION
An analysis of commercial construction permits analysis from July 1, 2013, through June 31, 2018, showed substantial M/WBE underutilization in the private sector. When compared to findings from the commercial construction projects, M/WBE firms fared better on city projects.

FINDING G: DISPARITIES IN SELF-EMPLOYMENT AND REVENUE EARNINGS
Findings from the Public Use Microdata Sample (PUMS) from 2013-2017 data indicate minorities were significantly less likely than nonminority males to be self-employed and, if they were self-employed, they earned significantly less in 2013-2017 than did self-employed nonminority males. When self-employment rates were stratified by race and by business type, trends varied within individual race-by-type cells, but disparities persisted, in general, for all minorities and nonminority women.

FINDING H: ANECDOTAL COMMENTS
Among the M/WBEs who responded to questions about barriers to doing business, the biggest concern for both primes and subcontractors were identifying opportunities to bid with the city.

RECOMMENDATION A: ASPIRATIONAL M/WBE GOALS
Proposed M/WBE goals are based on a weighted average of M/WBE utilization and availability. These aspirational goals should not be applied rigidly to every individual city procurement. Instead, M/WBE goals should vary from project to project. Aspirational goals should be based on relative M/WBE availability.

RECOMMENDATION B: NARROWLY TAILORED M/WBE PROGRAM
Any new M/WBE Program modifications implemented to address the findings of this report should be narrowly tailored to specifically address identified disparity in accordance with guidance from case law regarding race- and gender-based procurement programs.

RECOMMENDATION C: SUBCONTRACTOR PROJECT GOALS
To ensure all M/WBE firms in the relevant market area have opportunities, project specific subcontracting goals should continue to be established where there is availability for specific scopes of work across all procure-
RECOMMENDATION D: EXPANDED DATA COLLECTION AND MANAGEMENT
The city should implement data systems and processes to monitor and track progress on key performance measures, and establish solid processes to collect and analyze M/WBE utilization data by race, ethnicity, and gender to monitor goal attainment.

COMMENDATION AND RECOMMENDATION E: M/WBE OUTREACH FOR INFORMAL PURCHASES
The city was commended for having an online Upcoming Purchase Opportunity Form for all departments making purchases between $1,000 and $19,999.99. The form alerts the M/WBE program to the upcoming purchase so that it can alert M/WBE vendors to the upcoming opportunity. The city should consider mandating the use of the form and should continue to include outreach to M/WBE firms for informal contracts and purchases. Departments that have purchasing authority should document and report their outreach efforts to M/WBEs to encourage and solicit bids and quotes.

RECOMMENDATION F: RIGHT TO AUDIT IN CONTRACTS
The city should consider incorporating language in all contracts that primes must maintain subcontract/supplier documentation for M/WBE and non-M/WBE firms for a period of time.

RECOMMENDATION G: ON-CALL SERVICES
The city should consider utilizing a vendor rotation system for on-call contracts to increase the opportunity for M/WBE firms to do business with the city as prime.

RECOMMENDATION H: HISTORICALLY UNDERUTILIZED BUSINESSES (HUB)
The city should define minority and woman-owned enterprises as businesses approved and certified by the N.C. Office for Historically Underutilized Businesses under the Statewide Uniform Certification Program (SWUC).

RECOMMENDATION I: M/WBE STAFF AND DEPARTMENT LIAISONS
Departments with purchasing authority should have department staff act as a liaison between the department and the M/WBE Division.

The 2019 Disparity Study executive summary and full report are available at www.cityofws.org/2709/2019-Disparity-Study
PUBLIC ENGAGEMENT
During fiscal year 2019-20 the city’s M/WBE Program held four outreach events.

BUILDING RELATIONSHIPS: OVERVIEW OF FORECASTED CITY PROJECTS
The Overview of Forecasted City Projects was a free event that provided access to a proposed listing of all upcoming capital/bond projects planned through 2020. This networking event also introduced Prime contractors and Minority/Women-Owned Businesses to each other. The event was held December 12, 2019. The city’s social media accounts were used to promote the event and drew 29 participants.

HUB CERTIFICATION DAY
HUB Certification Day is an annual event that provides free assistance with completing state certification as a Historically Underutilized Business (HUB). Due to the coronavirus pandemic, this event was held virtually on March 23, 2020. It was promoted on the city’s social media accounts and drew 15 participants.

BIDDING & ESTIMATING 101
Bidding & Estimating 101 is an free seminar the M/BBE Program offers periodically to help Minority and Women Business Enterprise (M/WBE) contractors learn about responding to solicitations, how to prepare and submit bids, insurance requirements, M/WBE policies, estimating projects, and best practices. This year’s event was held on February 25, 2020 at The Enterprise Conference and Banquet Center and drew 28 participants.

CITY STAFF TRAINING
An opportunity to aid City departments in maintaining compliance with the City’s M/WBE Program. Two identical sessions were held on January 22nd and January 23rd, with 58 city staff members attending.
FISCAL YEAR 2019-20
M/WBE SPENDING SUMMARY

The City of Winston Salem regularly tracks M/WBE spending in four categories: Construction & Repair; Subcontracting Activity; Procurement Card Spending; and Goods and Services.

During fiscal year 2019-20, overall spending with M/WBE firms totaled $18.6 million, a decrease of $4.6 million over the previous fiscal year. Of this amount, $8 million was spent with minority-owned businesses and $10.6 million was spent with women-owned businesses.

As a percentage of overall spending, M/WBE participation in fiscal 2019-20 equaled 9.77 percent of all city spending, this is down 2 percent in the previous fiscal year.

M/WBE Spender Breakout by Fiscal Year

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Spending</th>
<th>MBE</th>
<th>MBE %</th>
<th>WBE</th>
<th>WBE %</th>
<th>Total M/WBE</th>
<th>M/WBE %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-14</td>
<td>$92,188,630</td>
<td>$2,345,105</td>
<td>2.54%</td>
<td>$6,308,244</td>
<td>6.84%</td>
<td>$8,653,349</td>
<td>9.39%</td>
</tr>
<tr>
<td>2014-15</td>
<td>$262,920,520</td>
<td>$6,975,918</td>
<td>2.65%</td>
<td>$6,415,905</td>
<td>2.44%</td>
<td>$13,391,823</td>
<td>5.09%</td>
</tr>
<tr>
<td>2015-16</td>
<td>$215,368,683</td>
<td>$6,326,736</td>
<td>2.94%</td>
<td>$11,586,962</td>
<td>5.38%</td>
<td>$17,913,698</td>
<td>8.32%</td>
</tr>
<tr>
<td>2016-17</td>
<td>$236,333,685</td>
<td>$7,896,624</td>
<td>3.34%</td>
<td>$12,566,756</td>
<td>5.32%</td>
<td>$20,463,380</td>
<td>8.66%</td>
</tr>
<tr>
<td>2017-18</td>
<td>$235,780,627</td>
<td>$12,932,990</td>
<td>5.49%</td>
<td>$13,361,950</td>
<td>5.58%</td>
<td>$26,094,940</td>
<td>11.07%</td>
</tr>
<tr>
<td>2018-19</td>
<td>$193,162,591</td>
<td>$11,308,348</td>
<td>5.85%</td>
<td>$11,988,398</td>
<td>6.21%</td>
<td>$23,296,746</td>
<td>12.06%</td>
</tr>
<tr>
<td>2019-20</td>
<td>$190,600,252</td>
<td>$7,971,075</td>
<td>4.18%</td>
<td>$10,662,857</td>
<td>5.59%</td>
<td>$18,633,932</td>
<td>9.77%</td>
</tr>
</tbody>
</table>

M/WBE Spending as a Percentage of Total Spending by Fiscal Year

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>MBE %</th>
<th>WBE %</th>
<th>Total M/WBE %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-14</td>
<td>9.39%</td>
<td>6.84%</td>
<td>9.39%</td>
</tr>
<tr>
<td>2014-15</td>
<td>5.09%</td>
<td>2.44%</td>
<td>5.09%</td>
</tr>
<tr>
<td>2015-16</td>
<td>8.32%</td>
<td>5.38%</td>
<td>8.32%</td>
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<tr>
<td>2016-17</td>
<td>11.07%</td>
<td>5.32%</td>
<td>11.07%</td>
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<td>2017-18</td>
<td>12.06%</td>
<td>5.58%</td>
<td>12.06%</td>
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<tr>
<td>2018-19</td>
<td>12.06%</td>
<td>6.21%</td>
<td>12.06%</td>
</tr>
<tr>
<td>2019-20</td>
<td>9.77%</td>
<td>5.59%</td>
<td>9.77%</td>
</tr>
</tbody>
</table>

M/WBE Spending FY 2019-20 by Spending Category

- Construction & Repair PO $1,704,463
- Subcontracting $7,783,741
- Goods & Services $8,944,699
- P-Card $201,029
- Non-M/WBE $171,966,320

Fiscal Year 2019-20 Spending by Vendor Ownership

- MBE $7,971,075
- WBE $10,662,857
- Non-M/WBE $171,966,320
FISCAL YEAR 2019-20 SUBCONTRACTING ACTIVITY

Subcontracting activity accounts for all formal-range construction projects that were closed out during the fiscal year and reported to the N.C. Historically Underutilized Businesses Office.

During fiscal year 2019-20, all city subcontracting activity totaled $37 million. Subcontracting with M/WBE firms totaled $7.7 million, a decrease of $3.8 million over the previous fiscal year. Of this amount, $3.2 million was spent with minority-owned businesses and $4.5 million was spent with women-owned businesses.

Subcontracting activity with M/WBE businesses in fiscal 2019-20 equaled 20.98 percent of all city subcontracting. This was down by 3.81 percent from the previous fiscal year.
FISCAL YEAR 2019-20
PROCUREMENT CARD ACTIVITY

Procurement card activity includes all purchases made by departments of $5,000 or less and which do not go through the formal or informal bidding process.

During fiscal year 2019-20, all city procurement card activity totaled $3.4 million. Procurement card spending with M/WBE firms totaled $201,029, an increase of $8,726 compared with the previous fiscal year. Of this amount, $63,127 was spent with minority-owned businesses and $137,902 was spent with women-owned businesses.

Procurement card spending with M/WBE businesses in fiscal 2019-20 equaled 5.79 percent of all city procurement card spending. This was up by 0.40 percent from the previous fiscal year.
FISCAL YEAR 2019-20
CONSTRUCTION & REPAIR PURCHASE ORDERS

Construction and repair purchase orders includes all active city spending during the fiscal year on formal and informal projects.

During fiscal year 2019-20, all city construction and repair purchase orders totaled $52.7 million. Construction and repair purchase orders with M/WBE firms totaled $1.7 million, a decrease of $195,343 over the previous fiscal year. Of this amount, $886,148 was spent with minority-owned businesses and $818,316 was spent with women-owned businesses.

Purchase orders for construction and repairs placed with M/WBE businesses in fiscal 2019-20 equaled 3.23 percent of all city construction and repair purchase orders. This was down from .01 percent the previous fiscal year.
FISCAL YEAR 2019-20
GOODS & SERVICES PURCHASE ORDERS

Purchase orders for goods and services includes all city spending during the fiscal year for such items as bulk supplies and consulting services that exceed $5,000 in value.

During fiscal year 2019-20, all city purchase orders for goods and services totaled $97 million. Purchase orders for goods and services placed with M/WBE firms totaled 8.9 million, a decrease of $601,800 over the previous fiscal year. Of this amount, $3.80 million was spent with minority-owned businesses and $5.1 million was spent with women-owned businesses.

Purchase orders for goods and services placed with M/WBE businesses in fiscal 2019-20 equaled 9.19 percent of all city procurement card spending. This was down 2.18 percent from the previous fiscal year.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Spending</th>
<th>MBE</th>
<th>MBE %</th>
<th>WBE</th>
<th>WBE %</th>
<th>Total M/WBE</th>
<th>M/WBE %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-14</td>
<td>$58,262,141</td>
<td>$648,275</td>
<td>1.11%</td>
<td>$1,722,242</td>
<td>2.96%</td>
<td>$230,517</td>
<td>4.07%</td>
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<tr>
<td>2014-15</td>
<td>$84,458,365</td>
<td>$2,370,085</td>
<td>2.81%</td>
<td>$2,512,775</td>
<td>2.98%</td>
<td>$4,882,860</td>
<td>5.78%</td>
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<tr>
<td>2015-16</td>
<td>$80,366,802</td>
<td>$1,089,179</td>
<td>1.32%</td>
<td>$3,949,174</td>
<td>4.42%</td>
<td>$5,038,353</td>
<td>5.64%</td>
</tr>
<tr>
<td>2016-17</td>
<td>$103,896,785</td>
<td>$1,448,526</td>
<td>1.39%</td>
<td>$3,442,370</td>
<td>3.31%</td>
<td>$4,890,904</td>
<td>4.71%</td>
</tr>
<tr>
<td>2017-18</td>
<td>$102,109,384</td>
<td>$5,442,731</td>
<td>5.33%</td>
<td>$63,811</td>
<td>0.06%</td>
<td>$5,506,542</td>
<td>5.39%</td>
</tr>
<tr>
<td>2018-19</td>
<td>$83,988,110</td>
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<td>6.18%</td>
<td>$4,356,749</td>
<td>5.19%</td>
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<td>2019-20</td>
<td>$97,306,083</td>
<td>$3,798,412</td>
<td>3.9%</td>
<td>$5,146,287</td>
<td>5.29%</td>
<td>$8,944,699</td>
<td>9.19%</td>
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</tbody>
</table>
FISCAL YEAR 2019-20
SITE VISITS

The Office of Business Inclusion & Advancement M/W BE Division conducts periodic work-site inspections to ensure that general contractors are fulfilling their stated M/WBE participation targets. Site visits are conducted for all formal-range contracts, both with the city and with the City/County Utility Commission.

During fiscal year 2019-20 the office conducting a total of 33 site visits.

<table>
<thead>
<tr>
<th>Quarter</th>
<th>Visits</th>
</tr>
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<tbody>
<tr>
<td>1st Quarter</td>
<td>7</td>
</tr>
<tr>
<td>2nd Quarter</td>
<td>6</td>
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<td>3rd Quarter</td>
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<tr>
<td>4th Quarter</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>33</strong></td>
</tr>
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FISCAL YEAR 2019-20
NEW M/WBE VENDORS ON CITY DATABASE

The Office of Business Inclusion & Advancement M/W BE Division maintains a database of M/WBE vendors as a resource for city departments and divisions and for the public. The database allows the city to be proactive in soliciting bids from M/WBE businesses for upcoming projects.

During fiscal year 2019-20, 118 M/WBE vendors were added to the database.

<table>
<thead>
<tr>
<th>Month</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
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<tr>
<td>June</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>118</strong></td>
</tr>
</tbody>
</table>
FISCAL YEAR 2019-20
M/WBE FIRMS ASSISTED

The Office of Business Inclusion & Advancement M/WBE Division works to build close relationships with local minority and women-owned businesses by providing technical assistance related to the State of NC Historically Underutilized Business (HUB) certification, conflict resolution support, bidding assistance, vendor listing assistance, and small business development referrals.

During fiscal year 2019-20, the M/WBE division provided technical assistance to 219 M/WBE vendors.

*Note: FY 16-17 outliers include January (150) and May (85).